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Attorneys for Defendants

MARY PETERSEN, MICHAEL PETERSEN AND KATHRYN PETERSEN

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

USACM LIQUIDATING TRUST and USA CAPITAL  
 DIVERSIFIED TRUST DEED FUND, LLC,

Plaintiffs,

vs.

MARY PETERSEN, individually and as TRUSTEE of  
 the MARY PETERSEN FAMILY TRUST DTD  
 8/12/98; MICHAEL PETERSEN, individually and as  
 TRUSTEE of the MICHAEL D. PETERSEN FAMILY  
 TRUST DTD 8/12/98; KATHRYN L. PETERSEN,  
 individually and as TRUSTEE of the KATHRYN L.  
 PETERSEN LIVING TRUST and TRUSTEE of the  
 KLP TRUST DTD 7/15/99,

Defendants.

USACM LIQUIDATING TRUST and USA CAPITAL  
 DIVERSIFIED TRUST DEED FUND, LLC,

Plaintiffs,

vs.

KATHRYN L. PETERSEN, individually and as  
 TRUSTEE of the KATHRYN L. PETERSEN LIVING  
 TRUST and TRUSTEE of the KLP TRUST DTD  
 7/15/99, and SPECIALIZED DEVELOPMENT  
 TAHOE, LLC,

Defendants.

CASE NO.: 2:09-CV-00239-JCM-LRL

**ORDER ON MOTION  
 FOR WITHDRAWAL OF THE  
 REFERENCE TO THE BANKRUPTCY  
 COURT AND FOR CONSOLIDATION**

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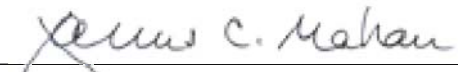
On July 10, 2009, the Motion for Withdrawal of the Reference to the Bankruptcy Court Pursuant to 28 U.S.C. §157(d) and Fed. R. Bankr. P. 5011(a) (the "Withdrawal Motion") and for Consolidation Pursuant to Fed. R. Civ. P. 42(a) (the "Consolidation Motion") filed by Defendant Mary Petersen, Individually and as Trustee of the Mary Petersen Family Trust Dtd 8/12/98; Michael Petersen, Individually and as Trustee of the Michael D. Petersen Family Trust Dtd 8/12/98; Kathryn Petersen, Individually and as Trustee of the Kathryn Petersen Living Trust and Trustee the KLP Trust Dtd 7/15/99; and Specialized Development Tahoe, LLC (collectively, the "Petersens") was heard. John O'Reilly of the O'Reilly Law Group, LLC and Steven Katzman of Bienert, Miller, Weitzel and Katzman appeared on behalf of the Petersens. Eric Madden, Max Beatty and Michael Yoder of Diamond McCarthy, LLP appeared on behalf of Plaintiffs USACM Liquidating Trust (the "USACM Trust") and USA Capital Diversified Trust Deed Fund, LLC ("DTDF") (collectively, the "Plaintiffs"). Rosa Solis-Rainey of Morris Peterson appeared on behalf of non-party defendant Deloitte & Touche, LLP ("Deloitte").

Having considered the above referenced Motions, the Oppositions of Plaintiffs and Deloitte, the applicable Reply to the Motions, and the arguments of counsel at the hearing,

IT IS HEREBY ORDERED that the Consolidation Motion is Denied without Prejudice;

IT IS FURTHER ORDERED that the Withdrawal Motion is moot and therefore denied without prejudice.

DATED April 21, 2011.

  
 UNITED STATES DISTRICT COURT JUDGE

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/ / /

1 Submitted by:

2  
3 /s/ Timothy R. O'Reilly

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12 **APPROVED**

/ DISAPPROVED

AS TO FORM AND CONTENT:

12 **APPROVED**

/ DISAPPROVED

AS TO FORM AND CONTENT:

14 /s/ Eric D. Madden

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